UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	NO. 1:16-CR-42-2	.Aut
v.)	(Chief Judge Conner)	
PAO HUA YU, Defendant.)	(Electronically Filed)	

PRELIMINARY ORDER OF FORFEITURE

IT IS HEREBY ORDERED THAT:

- 1. The Court has determined, based upon defendant Pao Hua Yu's Plea Agreement and Addendum that the following property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461 and that the government has established the requisite nexus between such property and such offenses:
 - a. \$150,000 in U.S. Currency, representing proceeds of mail fraud in violation of 18 U.S.C. \$ 1341 or conspiracy to commit mail fraud in violation of 18
 U.S.C. \$ 1349 that were personally obtained and later dissipated by Pao Hua Yu.
- 2. Because the defendant dissipated the above-described proceeds, the United States may seek, as a substitute asset pursuant to

21 U.S.C. § 853(p), forfeiture of any of the defendant's property up to the value of the dissipated proceeds.

- 3. In accordance with the provisions of Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States is permitted to undertake whatever discovery is necessary to identify, locate, or dispose of property subject to forfeiture, or substitute assets for such property.
- 4. Pursuant to Rule 32.2(b)(6)(C) & (c)(1), no service or publication of notice is required since this Order consists solely of the obtained and dissipated proceeds of the crimes.
- 5. Pursuant to Fed. R. Crim. P. 32.2(b)(3) and 18 U.S.C. § 3554, this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.
- 6. Once this order has been incorporated into the defendant's sentence, the court will enter a Final Order of Forfeiture.
- 7. The court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

8. The Clerk of Court shall forward four certified copies of this order to Assistant U.S. Attorney Jenny P. Roberts, U.S. Attorney's Office, Middle District of Pennsylvania.

SO ORDERED this 17th day of November 2019.

CHRISTOPHER C. CONNER

CHIEF UNITED STATES DISTRICT JUDGE